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AZ CORP COMMISSION
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Arizona Corporation Commission

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BEFORE THE ARIZONA CORPORATION COMMISSION

IN THE MATTER OF THE)
APPLICATION OF AVRA WATER)
COOP, INC., AN ARIZONA)
CORPORATION, FOR A)
DETERMINATION OF THE)
CURRENT FAIR VALUE OF ITS)
UTILITY PROPERTY AND FOR AN)
INCREASE IN ITS WATER RATES)
AND CHARGES FOR UTILITY)
SERVICES)

DOCKET NO. W-02126A-06-0234

**NOTICE OF
WITHDRAWAL OF
LATE FILED EXHIBIT AND
WAIVER OF EXCEPTION PERIOD
UNDER AAC R14-3-110**

On April 7, 2006 Avra Water Co-op, Inc. ("Avra") filed a Late Filed Exhibit requesting recovery of a Commission authorized Fuel Adjustment increase of \$0.019 per kwh from its electric supplier, Trico Electric Cooperative, which became effective May 18, 2007.

On May 31, 2007, the Administrative Law Judge Jane Rodda (the "ALJ") issued a Procedural Order requiring Commission Staff to Respond to the Company's filing by June 8, 2007.

On June 6, 2007, the Commission Staff filed a Motion to Extend Deadline, requesting a additional 60 days within which to respond to the Company's Request.

On June 11, 2007, a telephonic Procedural Conference was held before the ALJ, and the parties made their respective arguments regarding the extended deadline.

At said Procedural Conference the ALJ indicated that the Staff would be granted a 30 day extension, that the Company would have an opportunity to respond thereto, and that there may be an evidentiary hearing, after which a Recommended Opinion and Order ("ROO") would issue. That schedule would delay the implementation of new rate by at least 60 to 90 days.

1 The impact of the Trico Electric Fuel clause on the Company is approximately \$24,000
2 per year. The annual increase in revenues proposed by the parties in this rate case range from
3 approximately \$295,900 to \$317,600, or \$24,650 to \$26,500 per month. The Company simply
4 can not afford to pursue what it believes to be this Commission imposed, fully justified, and
5 clearly known and measurable increase of its purchased power costs in the face of such a delay.

6 The ALJ did indicate that the ROO is near publication, and that if the Company would
7 waive its 10 day Exception Period under Rule R14-3-110 the ROO may be available for the
8 Commissions' consideration at the June 26, 2007 Open Meeting. Therefore, the Company
9 hereby waives its 10 day Exception Period, and requests that the matter be considered at the June
10 26, 2007 Open Meeting.

11 The Company is hopeful that the ROO by the ALJ will consider the undeniable adverse
12 effect of the Trico Fuel Clause escalation will have on this small company that is already hard
13 pressed for cash flows to accommodate its operating requirements.

14 The Company hereby formally withdraws the Late Filed Exhibit filed on May 24, 2007,
15 but reserves the right to raise the issue in its Exceptions and at the Open Meeting on this matter.

16 Respectfully submitted this 12th day of June 2007.

17 SALLQUIST, DRUMMOND & O'CONNOR, P.C.

18 By 
19 _____

20 Richard L. Sallquist
21 4500 S. Lakeshore Drive, Suite 339
22 Tempe, AZ 85282
23 Attorneys for Avra Water Co-op, Inc
24

1 Original and ten copies of the foregoing
2 filed this 12th day of June 2007,
3 with:

4 Docket Control
5 Arizona Corporation Commission
6 1200 West Washington
7 Phoenix, Arizona 85007

8 A copy of the foregoing filed
9 this 12th day of June 2007, to:

10 Mike Gleason, Chairman
11 Arizona Corporation Commission
12 1200 West Washington
13 Phoenix, Arizona 85007

14 Jeff Hatch-Miller, Commissioner
15 Arizona Corporation Commission
16 1200 West Washington
17 Phoenix, Arizona 85007

18 William A. Mundell, Commissioner
19 Arizona Corporation Commission
20 1200 West Washington
21 Phoenix, Arizona 85007

22 Kristin K. Mayes, Commissioner
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17 A copy of the foregoing emailed / filed
18 this 12th day of June 2007, to:

19 Judge Jane Rodda
20 Arizona Corporation Commission
21 400 West Congress Street
22 Tucson, Arizona 85701

23 Hearing Division
24 Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

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Arizona Corporation Commission
1200 West Washington
Phoenix, Arizona 85007

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